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Rec'd PCT/PTO 12 JUL 2005

#3

To:

NAME:	FACSIMILE:	TELEPHONE:
Attention: Vonda M. Wallace	703-305-3230	703-305-3257

FROM: Janet Xiao, Reg. No. 55,748**DATE:** July 12, 2005

Number of pages with cover page: 66 pages

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Comments: COURTESY COPY

Attorney Docket No.: 404172000300
Group Art Unit: Not Yet Assigned
Examiner: Not Yet Assigned
International App. No. PCT/IT02/000231
International Filing Date: 12 April 2002
Serial No. 10/511,229
371 Filing Date: October 12, 2004
Inventors: Ilaria CAPUA et al.
Title: PURIFIED SUBFRAGMENT CODIFYING FOR
NEUROAMINIDASE, RECOMBINANT NEUROAMINIDASE
AND ITS USE IN ZOOPROPHYLAIS

Papers attached:

1. Transmittal (2 pages)
2. Communication (2 pages)
3. Published International Application (*Corrected Version*) (61 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
BARBARA M. WEATHERLY AT 650/813-5728 AS SOON AS POSSIBLE.

PA-993125

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Dated: July 12, 2005

Signature: 

(Barbara M. Weatherly)

Docket No.: 404172000300
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Ilaria CAPUA et al.

International Application No.: PCT/IT2002/000231

Confirmation No.: 9235

International Filing Date: 12 April 2002

Art Unit: Not Yet Assigned

For: PURIFIED SUBFRAGMENT CODIFYING
FOR NEUROAMINIDASE, RECOMBINANT
NEUROAMINIDASE AND ITS USE IN
ZOOPROPHYLAIXIS

Examiner: Not Yet Assigned

COMMUNICATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Vonda M. Wallace

Dear Ms. Wallace:

It has come to our attention that an error was made during publication of the International Application (PCT/IT2002/000231; WO 03/086453), from which the present application is derived. Specifically, Figures 1 and 2 as filed were inadvertently omitted from the specification as originally published due to an error made by World Intellectual Property Organization (WIPO). A corrected version, which contains the two missing figures, has now been published. During our conversation with the PCT Help Desk at the Patent Office on June 23, 2005, we were advised to submit the corrected version of the PCT publication directly to you in order to correct the error recorded at the Patent Office. Accordingly, submitted herewith is the corrected version of the PCT publication. Please correct the error recorded in the Patent Office.

Application No.: 10/511,229

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Docket No.: 404172000300

Applicants submit that no fee is required for this filing. However, in the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 404172000300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

Dated: July 12, 2005

Respectfully submitted,

By 

Janet Xiao

Registration No.: 55,748

MORRISON & FOERSTER LLP

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(650) 813-5736

I hereby certify that this correspondence is being facsimile transmitted to the
PCT, Commissioner for Patents, Facsimile No. (703) 305-3230, on the date shown
below.
Dated: July 12, 2005 Signature: *Barbara M. Washburn*
(Barbara M. Washburn)

PCT/P

12 JUL 2005

#3

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 404172000300
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/511,229
INTERNATIONAL APPLICATION NO. PCT/IT02/00231	INTERNATIONAL FILING DATE 12 April 2002	PRIORITY DATE CLAIMED 12 April 2002
TITLE OF INVENTION PURIFIED SUBFRAGMENT CODIFYING FOR NEUROAMINIDASE, RECOMBINANT NEUROAMINIDASE AND ITS USE IN ZOOPROPHYLAXIS		
APPLICANT(S) FOR DO/EO/US Ilaria CAPUA et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: *Communication (2 pages)
International Published Application (Corrected Version) (61 pages)
Fax Cover Sheet (1 Page)*

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0851-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,229		INTERNATIONAL APPLICATION NO. PCT/IT02/00231		ATTORNEY'S DOCKET NUMBER 404172000300	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee \$300				\$ 0.00	
22. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$ 0.00	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$600				\$ 0.00	
TOTAL OF 21, 22 and 23 =				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x	\$	
Independent claims	- 3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 0.00	
				Amount to be refunded:	\$ 0.00
				Amount to be charged:	\$ 0.00
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>0.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: right;">SIGNATURE: <u>Janet Xiao</u></p> <p style="text-align: right;">NAME</p> <p>CUSTOMER NUMBER: 25226</p> <p style="text-align: right;">55,748 REGISTRATION NUMBER</p>					